

IV. Remarks

Reconsideration and allowance of the subject application are respectfully requested.

Claims 1-47 are pending in the application. Claims 1, 43, 44, 45, and 46 are independent.

Applicants acknowledge the Examiner's treatment of claims under the Election of Species Requirement. Applicants reiterate that at least Claims 1-4, 8, 19-20, 22-24, and 43-47 are generic, and respectfully request examination and allowance of all pending claims upon allowance of the generic independent claims.

The Drawings and specification have been corrected, without the addition of new matter, to overcome the objections thereto.

Claims 20, 25, 26, and 30 were rejected under 35 USC § 112, second paragraph, for the reasons noted at page 5 of the Office Action. Applicants respectfully traverse this rejection on the ground that the person of ordinary skill in the art would not be confused as to the meaning or scope of the claims. Nevertheless, these claims have been amended for clarity with respect to the specification and Drawings, and not in response to any statutory requirement.

Claims 1-4, 8, 11, 14, 16, 18-20, 22-26, 30, 32-37, and 41-49 were rejected as being unpatentable over Kao, for the reasons detailed at pages 6-10 of the Office Action.


Applicant respectfully traverses all art rejections.

Each of the independent claims recites a novel combination of structure and/or function whereby a **fluid radiation treatment system** includes structure for mixing fluids in a unique way to enhance the radiation treatment of a fluid passing by a radiation source. In contrast, Kao is directed to a **heat exchanger** in which a heat exchange device 10 is used to increase efficient heat exchange. Applicants submit that the person of ordinary skill in the **fluid radiation treatment** arts would not look to the **heat exchange** art for solutions to enhancing the radiation of fluids passing by a radiation source.

In view of the above amendments and remarks, it is believed that this application is now in condition for allowance, and a Notice thereof is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,


Attorney for Applicants

Registration No. 31,500

PATENT ADMINISTRATOR
KATTEN MUCHIN ZAVIS ROSENMAN
525 West Monroe Street
Suite 1600
Chicago, Illinois 60661-3693
Facsimile: (312) 902-1061